

(B) EXCEPTION — PROPERTY USED AS PRINCIPAL FAMILY RESIDENCE.

REAL PROPERTY USED AS THE PRINCIPAL FAMILY RESIDENCE MAY NOT BE FORFEITED UNDER THIS SECTION UNLESS:

(1) AN OWNER OF THE REAL PROPERTY WAS CONVICTED OF A CRIME DESCRIBED UNDER SUBSECTION (A)(1) OF THIS SECTION; OR

(2) THE REAL PROPERTY IS COVERED BY § 12-103(D)(2) OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(l).

In subsection (a)(1)(iii) of this section, the former reference to real property that was used in connection with a violation of “§ 286, § 286A, § 286B, § 286C, or § 290 [of Article 27 of the Code] in relation to these offenses” is deleted as unnecessary.

Defined terms: “Owner” § 12-101

“Person” § 1-101

“Proceeds” § 12-101

“Property” § 12-101

“Real property” § 12-101

SUBTITLE 4. DISPOSITION.

12-401. POWERS OF COURT.

IN A PROCEEDING UNDER THIS TITLE, A COURT:

(1) MAY GRANT REQUESTS FOR MITIGATION OR REMISSION OF FORFEITURE OR TAKE OTHER ACTION THAT PROTECTS THE RIGHTS OF INNOCENT PERSONS, IS CONSISTENT WITH THIS TITLE, AND IS IN THE INTEREST OF JUSTICE;

(2) MAY RESOLVE CLAIMS ARISING UNDER THIS TITLE; AND

(3) MAY TAKE APPROPRIATE MEASURES TO SAFEGUARD AND MAINTAIN PROPERTY FORFEITED UNDER THIS TITLE PENDING THE DISPOSITION OF THE PROPERTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(s).

In this section, the reference to “this title” is substituted for the former reference to “this section” in light of this revision, which has revised former Art. 27, § 297 as Title 12 of this article.

In item (3) of this section, the former reference to measures that are “necessary” to maintain property is deleted in light of the reference to “appropriate” measures.

Defined terms: “Person” § 1-101

“Property” § 12-101